



FIREWORKS IN INDIANA

How have Indiana's fireworks laws changed?

- In addition to Section 8(a) fireworks (i.e. sparklers, ground spinners, cone fountains, wheels, cylindrical fountains), consumer fireworks (i.e. bottle rockets, roman candles and fire crackers) are legal to discharge in the state.
- Only individuals 18 years of age or older may purchase fireworks.
- Anyone under the age of 18 may possess or use a firework only in the presence of an adult.
- On Memorial Day, the Fourth of July, Labor Day and New Year's Eve, fireworks may be discharged from 9am to 12am. Any other day of the year, fireworks may be discharged from 9am to 11pm.
- Fireworks may be discharged only on your property, the property of someone who has granted you permission to discharge fireworks, or at special discharge locations.
- Fireworks retailers must have a permit from the Indiana State Fire Marshal to sell consumer fireworks.
- All fireworks retail locations must undergo an inspection by either a representative of the Indiana State Fire Marshal or the local fire department.
- The five-percent public safety fee now assessed on the sale of fireworks funds the Indiana Disaster Relief Fund and the Indiana Firefighter Training System.
- Penalties are now in place for violation of Indiana's fireworks laws. (*See next page.*)

Fireworks Safety Tips:

- Never let children handle, play with, or light any fireworks.
- Store fireworks in a cool, dry place away from the reach of children.
- Always purchase your fireworks from reliable, licensed fireworks dealers.
- Use in a clear, open area. Keep audience a safe distance away from the shooting site.
- Safety glasses are recommended for those individuals lighting the fireworks or those in close proximity to the fireworks.
- Do not alter any fireworks device or make your own fireworks.
- Light only one firework item at a time.
- Never attempt to re-light, alter or fix any "dud" firework item.
- Have a fire extinguisher, water supply, hose or bucket of water nearby.
- Be cautious of lighting any fireworks during strong wind conditions and light fireworks with prevailing wind blowing away from the spectators.
- Never smoke when handling fireworks.
- Do not use alcohol with fireworks.
- Never aim, point or throw fireworks at another person.
- Use fireworks outdoors, never indoors.

Penalties for Violating Indiana's Fireworks Laws:

- A person who ignites, discharges, or uses consumer fireworks at a site other than:
a) a special discharge location; b) the property of the person; or c) the property of another who has given permission to use the consumer fireworks; commits a Class C infraction that may result in a fine of up to \$500 per infraction.
 - On the second violation within five (5) years, the person commits a Class C misdemeanor, an offense punishable by imprisonment of not more than 60 days and a fine of not more than \$500.
- A person less than eighteen (18) years of age who possesses or uses a firework when an adult is not present and responsible at the location commits a Class C infraction that may result in a fine of up to \$500 per infraction.
 - On the second violation within five (5) years, the person commits a delinquent act under IC-31-37.
- A person who ignites, discharges, or uses consumer fireworks: a) after 11:00 p.m., except on a holiday or December 31, on which dates consumer fireworks may not be ignited, discharged, or used after midnight; or b) before 9 a.m. commits a Class C infraction that may result in a fine of up to \$500 per infraction.
 - On the second violation within 5 years the person commits a Class C misdemeanor, an offense punishable by imprisonment of not more than 60 days and a fine of not more than \$500.
- A person who recklessly, knowingly, or intentionally uses consumer fireworks and the violation causes harm to the property of a person commits a Class A misdemeanor, an offense punishable by imprisonment for up to one (1) year and a fine not to exceed \$5,000.
- A person who recklessly, knowingly, or intentionally uses consumer fireworks and the violation results in serious bodily injury to a person commits a Class D felony, an offense punishable by imprisonment for from six (6) months to three (3) years and a fine not to exceed \$10,000.
- A person who recklessly, knowingly, or intentionally uses consumer fireworks and the violation results in the death of a person commits a Class C felony, an offense punishable by imprisonment from two (2) to eight (8) years and a fine not to exceed \$10,000.
- A person who knowingly or intentionally fails to collect or remit to the State of Indiana the public safety fee due commits a Class D felony, an offense punishable by imprisonment for from six (6) months to three (3) years and a fine not to exceed \$10,000.

Questions? Please contact:
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